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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,196	09/24/2001	Stephen E. Chambers	P/3326-7	6226
2352	7590	07/15/2004	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			RUTTEN, JAMES D	
			ART UNIT	PAPER NUMBER
			2122	

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/926,196

Applicant(s)

CHAMBERS ET AL.

Examiner

J. Derek Ruten

Art Unit

2122

Sc

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-10 have been examined.

Claim Objections

2. Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Although claim 2 provides the limitation "wherein each web page is divided into areas of page content", this has already been claimed in claim 1 as "...templates for each type of element that can be added to web pages..." and "the template having content areas".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-3 are rejected under 35 U.S.C. 102(a) as being anticipated by prior art of record "An Agent Architecture for Supporting Individualized Services in Internet Applications" by Shao et al. (hereinafter referred to as "Shao").

As per claim 1, Shao discloses:

A web site development software program for use by a user (Abstract: "DWIB") comprising

*a database containing pre-defined templates for each type of element that can be added to web pages of the web site by the user (page 143 Section 3.2 paragraph 1 at the top of column 2: "In the DIWB framework, most application data and page definitions are centrally **stored in a database** [3] ."; also page 143 Section 3.2.1 bottom of column 2: "The layout definition defines the overall layout **template** of the current page."),*

*the database being accessible by a network server accessible over the Internet (page 140 Section 1 column 2: "The major features provided by the DIWB framework include: * A distributed, **Internet based** page editor which can be used for distributed development... The DIWB allows applications to support various individualized services based on user preference data **stored on the server side.**")*

the template being presented to the user over the Internet using a browser (page 145 Section 3.3.1 second paragraph: "Thus the PA may return different pages to different users at the same state..." Pages in this context are web pages which are inherently presented using a browser.),

the template having content areas (page 144 Section 3.2.1 paragraph 2 top of column 1: "The example page consists of four **page components...**"),
and

an editing system for viewing the templates and adding elements (page 140 Section 1 paragraph 2 top of column 2: "The development tool consists of **editors** for constructing the application."),

the system defining a unique name identifier for each added element (page 144 Section 3.2.2 bullet 1: "*ComponentID... ParentComponentID*" The presence of a hierarchy implies the need for unique name identifiers, since the CA would be unable to distinguish between a component and its parent unless their IDs were unique.), *wherein*

the content areas can contain each type of element (page 144 Section 3.2.2 bottom of column 1 bullet 2: "Presentation components are the UI components used to create the final HTML pages, such as, Text-Field, Button, Image and Hyperlink."),

the template being modified by the user using the editing system and subsequently being stored in modified form by the user for public access over the Internet (page 145 Section 4.1 paragraph 2: "Figure 4 shows a screen dump of the distributed page **editor**, which is used by **users** to **update** their preference data.").

As per claim 2, the above rejection of claim 1 is incorporated. Shao further discloses: *wherein each web page is divided into areas of page content* (page 144 Section 3.2.1 paragraph 2 top of column 1).

As per claim 3, the above rejection of claim 2 is incorporated. Shao further discloses: *wherein the areas of page content include a navbar, a main content, and a sidebar (Figure 2).*

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shao as applied to claim 1 above, and further in view of U.S. Patent 6,343,302 to Graham (hereinafter referred to as "Graham").

As per claim 4, the above rejection of claim 1 is incorporated. Shao does not expressly disclose *wherein locations of elements in content areas viewed by the user using the editing system are identical to the locations of the elements stored in modified form by the user and publicly accessed over the Internet.*

However, in an analogous environment, Graham teaches the use of a "WYSIWYG" web page editor that displays a representation of the final page while it is being edited (column 3 lines 54-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Graham's editor in Shao's site

builder. One of ordinary skill would have been motivated to allow a user to view edits on a page while it is being edited so that proper placement of content can be facilitated.

As per claim 7, Shao discloses a *computer-readable medium* (page 140 column 2 paragraph 4: "it can be accessed at <http://war.cs.umn.edu>"). Shao does not expressly disclose *defining a unique name for each added element*. All further limitations have been addressed in the above rejection of claim 1.

However, Graham teaches assigning a unique name for each element (column 6 line 31: "Somewhere on the form, generate an "Update" button whose request is a unique key, say k2"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Graham's unique name in Shao's database. One of ordinary skill would have been motivated to associate a unique name with a component in order for actions to be uniquely assigned to that component.

As per claim 8, Shao discloses: *A computer-implemented method for development of a web site* (Figure 5). All further limitations have been addressed in the above rejection of claim 7.

As per claim 9, the above rejection of claim 8 is incorporated. Shao further discloses: *logging into a web site development service to access the database containing*

pre-defined templates (page 142 Section 2.2 bottom of column 1: “Needs user identification”).

As per claim 10, the above rejection of claim 8 is incorporated. Shao further discloses: *wherein the location of elements contained in a template and the modified form of the template are identical* (page 144 section 3.2.1 column 1 under Figure 2: Absence of user preference data will result in a modified form of the template whose element locations are identical to the template).

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shao as applied to claim 1 above, and further in view of prior art of record U.S. Patent 5,870,552 to Dozier et al. (hereinafter referred to as “Dozier”).

As per claim 5, the above rejection of claim 1 is incorporated. Shao further discloses: *wherein page elements added to the web site using the editing system by the user are provided with an identifier generated by the editing system* (page 144 Section 3.2.2 bullet 1 as cited in the above rejection of claim 1). Shao does not expressly disclose tracking related pages or an element displaying links to related pages.

However, in an analogous environment, Dozier teaches *related pages are tracked by the editing system, and an element is generated by the system for each page displaying links to the related pages* (Figure 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Dozier's related page tracking in Shao's web site builder. One of ordinary skill would have been motivated to allow for greater asset management within a web site by tracking the relationships of pages.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shao.

As per claim 6, the above rejection of claim 1 is incorporated. Shao further discloses drag-and-drop editing to construct web pages (page 140 column 2 paragraph 2 bullet 2). Official notice is taken that palettes comprising user selectable buttons are a well known method for drag-and-drop editing. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a palette comprising buttons in Shao's editor. One of ordinary skill would have been motivated to display a convenient list of available components for use in editing a page that would provide easy functionality.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Derek Rutten whose telephone number is (703) 605-5233. The examiner can normally be reached on M-F 6:30-3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jdr



WEI Y. ZHEN
PRIMARY EXAMINER